

EV 576571939 US
(Express Mail Label Number)

April 28, 2005
(Date of Deposit)

Esther Lily C. Esguerra
(Printed Name)

lee
(Signature)

FORM PTO-1390 (Modified)
U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE
(REV 12-2004)

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 355908-8201
		U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.53) 10/533553 Not yet assigned
INTERNATIONAL APPLICATION NO. PCT/CA2003/001645	INTERNATIONAL FILING DATE 10/28/2003	PRIORITY DATE CLAIMED 10/29/2002
TITLE OF INVENTION DEVICE AND METHOD FOR CONTROLLED EXPRESSION OF GASES FROM MEDICAL FLUIDS DELIVERY SYSTEMS		
APPLICANT(S) FOR DO/EO/US David G. MATSUURA, et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<div style="list-style-type: none; padding-left: 0;"><div>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</div><div>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</div><div>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</div><div>4. <input type="checkbox"/> The US has been elected (Article 31).</div><div>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))<div style="margin-left: 20px;"><input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). <input checked="" type="checkbox"/> has been communicated by the International Bureau. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</div></div><div>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).<div style="margin-left: 20px;"><input type="checkbox"/> is attached hereto. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</div></div><div>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))<div style="margin-left: 20px;"><input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau). <input checked="" type="checkbox"/> have been communicated by the International Bureau. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. <input type="checkbox"/> have not been made and will not be made.</div></div><div>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</div><div>9. <input checked="" type="checkbox"/> An unexecuted oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</div><div>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</div></div>		
Items 11 to 20 below concern other document(s) or information included:		
<div style="list-style-type: none; padding-left: 0;"><div>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</div><div>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</div><div>13. <input type="checkbox"/> A preliminary amendment.</div><div>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</div><div>15. <input type="checkbox"/> A substitute specification.</div><div>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</div><div>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825</div><div>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</div><div>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</div><div>20. <input checked="" type="checkbox"/> Other items or information: International Search Report</div></div>		

U.S. APPLICATION NO. (If known, see 37 CFR 1.51) Not yet assigned		INTERNATIONAL APPLICATION NO. PCT/CA2003/001645		ATTORNEY'S DOCKET NUMBER 355908-8201	
The following fees have been submitted:					
21. <input checked="" type="checkbox"/>	Basic national fee			\$300	\$ 300.00
22. <input checked="" type="checkbox"/>	Examination fee				
If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)				\$100	\$ 200.00
All other situations				\$200	
23. <input checked="" type="checkbox"/>	Search fee				
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority				\$100	
International Search Report prepared and provided to the Office				\$400	
All other situations				\$500	\$ 400.00
TOTAL OF ABOVE 21, 22 and 23 =					\$ 900.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$ for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		RATE	
55	- 100 = 0	/50 = 0		x \$250.00	\$ 0.00
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e))					\$ 130.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		\$
Total Claims	34 - 20 = 14		x \$ 50.00		\$ 700.00
Independent Claims	9 - 3 = 6		x \$ 200.00		\$ 1200.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$ 360.00		\$
TOTAL OF ABOVE CALCULATIONS =					\$ 2930.00
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					\$ 1465.00
SUBTOTAL =					\$ 1465.00
Processing fee of 130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).					\$
TOTAL NATIONAL FEE =					\$ 1465.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). 40.00 per property					\$
TOTAL FEES ENCLOSED =					\$ 1465.00
					Amount to be refunded:
					charged:
a. <input checked="" type="checkbox"/> A check in the amount of \$1,465. to cover the above fees is enclosed.					
b. <input type="checkbox"/> Please charge my Deposit Account No. 50-0872 in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-0872. A duplicate copy of this sheet is enclosed.					
d. <input type="checkbox"/> Fees are to be charge to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO:					
Foley & Lardner LLP					
Customer Number: 38706					
SIGNATURE					
William H. Benz					
NAME					
25,952					
REGISTRATION NUMBER					